

**To:** Vaughn, Stephanie[Vaughn.Stephanie@epa.gov]  
**Cc:** Willard Potter[otto@demaximis.com]; Jay Nickerson[Jay.Nickerson@dep.state.nj.us]; Basso, Ray[Basso.Ray@epa.gov]; Tim Kubiak[tim\_kubiak@fws.gov]; Dawn Monsen[dawn.monsen@klgates.com]; Karyllan Mack[Karyllan.Mack@klgates.com]; William Hyatt[william.hyatt@klgates.com]; Mehran, Reyhan (NOAA)[Reyhan.Mehran@noaa.gov]; Lisa ANAN02 Baron[Lisa.A.Baron@usace.army.mil]; Mike Barbara[mab.consulting@verizon.net]  
**From:** Robert Law  
**Sent:** Wed 11/27/2013 7:04:14 PM  
**Subject:** Re: Carp Harvest Pilot Study, Response....

Stephanie:

Below is an initial response to the Region's disapproval letter of the subject QAPP dated November 27, 2013.

First, the CPG is disappointed that Region 2 disapproved this QAPP Addendum without having any formal or informal discussions (i.e., meetings, telephone conferences, or written exchanges) with CPG representatives during the last 2 1/2 months about the proposed work.

Second, Region 2's first reason for disapproval as stated in paragraph 3 was that Region 2 and the Partner Agencies did not request this work. This reason appears to infer that the CPG as party to the May 2007 Settlement Agreement does not have the right to propose additional work as part of the RI/FS and is inconsistent with the Settlement Agreement. Please refer to Section 39 of the Settlement Agreement specifically paragraph c where it is clearly stated that the Settling Parties may propose additional work and that its approval is at the Region's discretion.

Third, The CPG will continue to review the Region's letter and may provide additional responses to Region 2's disapproval of this QAPP following the holiday.

Finally, The CPG reserves its rights under the Settlement Agreement in this matter.

Please contact me with any questions.

Thank you.

Have a happy Thanksgiving.

R/  
Rob

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>>> "Vaughn, Stephanie" <Vaughn.Stephanie@epa.gov> 11/27/2013 12:17 PM >>>

Hi Rob,

Please see the attached letter.

Hope you have a Happy Thanksgiving.

Stephanie